
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

<p>UNITED STATES OF AMERICA, Plaintiff, v. JESUS CONCEPCION SANTIBANEZ, Defendant.</p>	<p>MEMORANDUM DECISION AND ORDER Case No. 2:20-CR-279-DAK Judge Dale A. Kimball</p>
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This matter is before the court on Defendant Jesus Concepcion Santibanez's Motion for Early Termination of Probation [ECF No. 361]. On April 5, 2023, this court sentenced Defendant to 48 months of probation. Therefore, Defendant has served approximately half of his term of probation.

This motion is governed by 18 U.S.C. § 3564(c). Pursuant to 18 U.S.C. § 3564(c), after considering the factors set forth in Section 3553(a), the court may terminate a term of probation "at any time after the expiration of one year of probation . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice."

Defendant's Motion for Early Termination of Probation is opposed by the United States. Defendant's United States probation officer has provided the court with a Report On Person Under Supervision and did not take a position on termination. Defendant has complied with the conditions of his probation, has had no problems while on probation, and has been consistently employed. Defendant also maintains a stable residence and has a positive support system with his girlfriend and family.

Despite these positive indicators, the United States opposes termination because it would like to see Defendant continue this good behavior for a longer period of time, given that his term of imprisonment was deferred and he received probation instead. While the court does not want to diminish Defendant's excellent progress and hard work, it agrees with the United States that Defendant should complete a greater portion of his probation term before it is terminated. Despite his positive steps forward, the court believes that Defendant will benefit from continued supervision. The court is willing to consider early termination in another year if Defendant continues his good behavior. At this time, however, the court denies Defendant's Motion for Early Termination of Probation [ECF No. 361].

Dated this 13th day of May 2025.

BY THE COURT:



DALE A. KIMBALL
United States District Judge